

ORIGINAL

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

DIVERSIFIED GLASS SERVICES, INC., Individually
And On Behalf Of Themselves and All Others Similarly
Situating,

SUMMONS IN A CIVIL ACTION

V.

Pilkington North America, Inc. et al.
(See Attachment A for full list of Defendants)

CASE NUMBER:

08 CV 0903

JUDGE KRAM

TO: (Name and address of Defendant)

(See Attachment B)

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Peter Safirstein, Esq.
MILBERG WEISS LLP
One Pennsylvania Plaza, 49th Floor
New York, NY 10019

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

Wanda Quintero

(By) DEPUTY CLERK

DATE

JAN 25 2008

Attachment A

List of All Defendants

Pilkington North America, Inc.

Nippon Sheet Glass

AGC Group (f/k/a AFG Glass or AFG Industries, Inc.)

Asahi Glass Co. Ltd.

Saint-Gobain Corporation

Saint-Gobain SA

Guardian Glass Corporation

Co-Conspirators I - X

Attachment B

Pilkington North America, Inc.

811 Madison Avenue
Toledo, OH 43604-5684

Nippon Sheet Glass

Sumitomo Fudosan Mita Twin Building West Wing
5-27, Mita 3-chome
Minato-ku, Tokyo 108-6321 JAPAN

AGC Group (f/k/a AFG Glass or AFG Industries, Inc.)

1400 Lincoln Street
Kingsport, TN 37660

Asahi Glass Co. Ltd.

1-12-1, Yarakucho
Chiyoda-ku, Tokyo 100-8405 JAPAN

Saint-Gobain Corporation

750 E. Swedesford Road
Valley Forge, PA 19482-0101

Saint-Gobain SA

Les Miroirs
92096 La Défense Cedex
FRANCE

Saint-Gobain SA

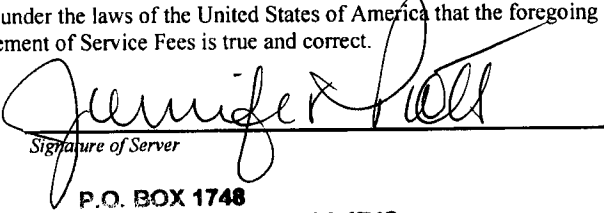
Les Miroirs
18, avenue d'Alsace
92400 Courbevoie
FRANCE

Guardian Glass Corporation

2300 Harmon Rd.
Auburn Hills, MI 48326-1714

Co-Conspirators I - X

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	2/1/08
NAME OF SERVER (PRINT) JENNIFER PLOTT	TITLE	PROCESS SERVER
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:</div> <div><input type="checkbox"/> Returned unexecuted:</div>		
<input checked="" type="checkbox"/> Other (specify): SERVED CT CORP @ REG. AGENT FOR AFG INDUSTRIES INC (CERIKA MILLIGAN)		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p>Executed on <u>2/1/08</u></p> <p style="text-align: center; font-size: small;">Date</p> </div> <div style="width: 60%; text-align: center;">  <p style="text-align: center; font-size: small;">Signature of Server</p> <p style="text-align: center; font-weight: bold; font-size: small;">P.O. BOX 1748 KNOXVILLE, TN 37901-1748</p> <hr style="width: 100%; border: 0; border-top: 1px solid black; margin-top: 5px;"/> <p style="text-align: center; font-size: small;">Address of Server</p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Affidavit of Process Server

United States District Court

(NAME OF COURT)

Diversified Glass Services, Inc. vs AFG Group f/k/a AFG Industries, Inc.

08CV0903

PLAINTIFF/PETITIONER

DEFENDANT/RESPONDENT

CASE NUMBER

I, Jennifer Plott, being first duly sworn, depose and say: that I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: I served AFG Industries, Inc. c/o CT Corporation, Registered Agent for Service of Process

NAME OF PERSON / ENTITY BEING SERVED

with (list documents) Civil Cover Sheet; Summons; Complaint, Class Action, Demand for Jury Trial, Rule 7.1 Statement; guidelines for Electronic Case Filing; 3rd Amended Instructions; Rules for Attorneys; and Procedures for Electronic Case Filing

by leaving with Erika Milligan Service of Process Specialist At

NAME

RELATIONSHIP

☐ Residence

ADDRESS

CITY / STATE

☒ Business 800 S. Gay Street, Suite 2021
Knoxville, TN 37929

ADDRESS

CITY / STATE

On 2/1/2008

DATE

AT 1:30 pm

TIME

Thereafter copies of the documents were mailed by prepaid, first class mail on

DATE

from

CITY

STATE

ZIP

Manner of Service:
☒ **Personal:** By personally delivering copies to the person being served.

☐ **Substituted at Residence:** By leaving copies at the dwelling house or usual place of abode of the person being served with a member of the household over the age of _____ and explaining the general nature of the papers.

☐ **Substituted at Business:** By leaving, during office hours, copies at the office of the person/entity being served with the person apparently in charge thereof.

☐ **Posting:** By posting copies in a conspicuous manner to the front door of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

☐ Unknown at Address ☐ Moved, Left no Forwarding ☐ Service Cancelled by Litigant ☐ Unable to Serve in Timely Fashion

☐ Address Does Not Exist ☐ Other _____

Service Attempts: Service was attempted on: (1) 2/1/08 1:30pm (2) _____

DATE

TIME

DATE

TIME

(3) _____ (4) _____ (5) _____

DATE

TIME

DATE

TIME

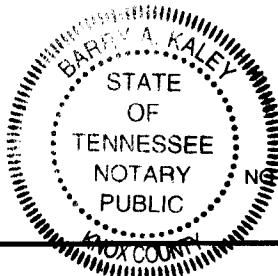
DATE

TIME

Description: Age _____ Sex _____ Race _____ Height _____ Weight _____ Hair _____ Beard _____ Glasses _____

Jennifer Plott
SIGNATURE OF PROCESS SERVER

SUBSCRIBED AND SWORN to before me this 4 day of February, 2008



Barry A. Kaley
SIGNATURE OF NOTARY PUBLIC

NOTARY PUBLIC for the state of Tennessee

MY COMMISSION EXPIRES
April 30, 2011